



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

MANDATE

THE STATE OF TEXAS

To the 236th District Court of Tarrant County, Greetings:

On August 28, 2015, the Court of Appeals for the Second District of Texas remanded the appeal in the following case:

Kodiak Products Co., Inc. v. Charles H. Deegear, Jr. and Deemaxx Components, Inc., No. 02-13-00422-CV (236-252084-11).

The Court of Appeals entered the following judgment or order:

We have considered the parties' first amended agreed motion for remand for rendition of judgment pursuant to rule of appellate procedure 42.1(a)(2)(B). See Tex. R. App. P. 42.1(a)(2)(B). It is the court's opinion that the motion should be and is granted. Accordingly, we withdraw our judgment dated June 4, 2015, set aside the trial court's September 12, 2013 "Second Amended Final Judgment" without regard to the merits, and remand this case to the trial court to render judgment by signing the parties' "Agreed Final Judgment" in the form attached as Exhibit A to the parties' first amended agreed motion for remand for rendition of judgment. See *id.*

In accordance with the parties' agreement, costs of this appeal shall be paid by the party incurring same, see Tex. R. App. P. 42.1(d), and mandate shall be issued immediately, see Tex. R. App. P. 18.1(c).

"Appellees' Motion for Rehearing" and "Appellant Kodiak Products Co., Inc.'s Motion for Rehearing" are denied as moot.

Accordingly, we command you to observe the order of the Court of Appeals.

BY ORDER OF THE COURT OF APPEALS FOR THE SECOND
DISTRICT OF TEXAS, with the seal thereof annexed, at the City of Fort Worth,
on August 28, 2015



DEBRA SPISAK, CLERK

Debra Spisak